THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION Nos. 5501 and 5620 of 2007

Dated: 3.4.2007

WRIT PETITION NO.5501 OF 2007

Between:
N. Pochamma

..... Petitioner

AND

The Director General of Police,
Government of Andhra Pradesh,
Hyderabad and others.

Respondents.

and

WRIT PETITION NO.5620 OF 2007

Between:
N. Ravi

..... Petitioner

and

The Inspector of Police, Task Force, East Zone,
Hyderabad and others.

Respondents.

HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION Nos. 5501 and 5620 of 2007

Common Order: (Per Smt. Justice T. Meena Kumari)

Since the issue involved in both these writ petitions being the same, these two writ petitions are disposed of by this common order.

Writ Petition No. 5501 of 2007 is filed by one N. Pochamma, W/o. Bhoomaiah, seeking a direction to the respondents to produce the sons of the petitioners, viz., Nakka Venu and Nakka Vijay, who were illegally taken away by the respondents on 14.3.2007 and to set them at liberty forthwith.

The other writ petition, namely, Writ Petition No.5620 of 2007 has been filed by one N. Ravi, S/o. Bhoomaiah, R/o. 16-9-275/7/B/C, Old Malakpet, Hyderbad seeking direction to the respondents to produce the younger brother of the petitioner, namely, Vijay who said to have been illegally taken away by the police of task force, East Zone, Hyderabad on 14.3.2007. He also apprehends danger to the life of his younger brother at the hands of the respondents and prays that he be set at liberty forthwith.

In the first writ petition, namely, Writ petition No. 5501 of 2007, which is filed by the mother of the alleged detenus, it is alleged that on 14.3.2007 the Inspector of Police, Task Force, East Zone has come to their residence and taken away her sons, who are the alleged detenus 1 and 2 for the purpose of investigation; whereas in the other writ petition, namely Writ Petition No. 5620 of 2007, the petitioner, who is the elder brother of the alleged detenus has only mentioned about the illegal detention of detenu No.2, but he has not mentioned anything

about the 1st detenu.

In response to the allegations levelled in the Writ Petition No. 5501 of 2007, the 4th respondent has filed his counter affidavit denying the allegations levelled in the writ petition; whereas, a common counter affidavit has been filed by the Inspector of Police, Task Force, East Zone, in both the writ petitions stating that the detenu No.1, is required in connection with crime Nos. 945 of 2003, 152 of 1995 and 510 of 2004 registered for various offences. The Inspector of Police further stated that on 14.3.2007 on receipt of reliable information that the alleged detenu No.1 is planning to do away with the life of Balraj, they went to the house of the petitioner and when they enquired about the alleged detenu No.1, the inmates of the house informed them that the alleged detenu No.1 is not residing with them and his whereabouts are not known to them and he might be either residing at Karimnagar or Nizamabad along with his family members. The respondent also denied the allegation that the 1st detenu has been arrested by him on 14.3.2007 or on any other subsequent date.

Even in the telegram sent by one Ravi, the elder brother of the alleged detenus, (petitioner in Writ Petition No. 5620 of 2007), he has specifically stated that on 14.3.2007, when the Task Force Police personnel came and enquired about the 1st detenu, he told them that he did not know the whereabouts of the 1st detenu. Thus, even according to him, the 1st detenu is not under illegal detention.

So far as the second detenu is concerned, he stated that the said detenu is not required in connection with any crime and therefore, there was no occasion for them to arrest him on 14.3.2007 or on any other subsequent date. Further, on receipt of communication from the office of the Advocate General, when they caused enquiries with the mother and brother of the alleged detenu, who are the writ petitioners, they informed them that the alleged detenu is not under illegal

detention and is moving freely.

In view of what has been stated by the brother of the detenus in the telegram sent to the Court and in view of the averments made by the respondents in the counter affidavit, no further orders are required to be passed in the writ petitions. The writ petitions are accordingly dismissed. No costs.

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T. Meena Kumari,J

Date: 3rd April, 2007

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G.Chandraiah,J

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